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8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA  
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11 BRYCE JONATHAN MARKELL,

12 Petitioner,

13 v.

14 JAMES YATES,

15 Respondent.  
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} Case No. SA CV 06-1029 JFW(JC)

} ~~(PROPOSED)~~

} ORDER ADOPTING FINDINGS,  
} CONCLUSIONS, AND  
} RECOMMENDATIONS OF  
} UNITED STATES MAGISTRATE  
} JUDGE

17 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition for Writ of  
18 Habeas Corpus by a Person in State Custody (the "Petition") and all of the records  
19 herein, including the attached Report and Recommendation of United States  
20 Magistrate Judge ("Report and Recommendation"), and petitioner's objections to  
21 the Report and Recommendation ("Objections"). The Court has further made a *de*  
22 *novo* determination of those portions of the Report and Recommendation to which  
23 objection is made. The Court concurs with and adopts the findings, conclusions,  
24 and recommendations of the United States Magistrate Judge and overrules the  
25 Objections.

26 IT IS HEREBY ORDERED that Judgment be entered denying the Petition  
27 and dismissing this action with prejudice.  
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1 IT IS FURTHER ORDERED that the Clerk serve copies of this Order, the  
2 Report and Recommendation, and the Judgment herein on counsel for petitioner  
3 and respondent.

4 LET JUDGMENT BE ENTERED ACCORDINGLY.

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6 DATED: 7/21/09

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9 HONORABLE JOHN F. WALTER  
10 UNITED STATES DISTRICT JUDGE  
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